

**REPORT - PLANNING COMMISSION MEETING**  
**August 28, 2003**

**Project Name and Number:** Washington West Retail Shops (PLN2003-00265)

**Applicant:** Washington Hospital

**Proposal:** To consider a Finding for Site Plan and Architectural approval for a 7,800 square foot commercial building at the corner of Paseo Padre Parkway and Capitol Driveway.

**Recommended Action:** Approve, based on findings and subject to conditions.

**Location:** 2500 Mowry Avenue at Paseo Padre Parkway in the Central Business District

**Assessor Parcel Number:** 507 046500123

**Area:** 4.35 Acres

**Owner:** Washington Hospital Healthcare System

**Agent of Applicant:** Jim Davis of Washington Hospital

**Consultant(s):** Galen Grant and Dave Danner, Craig + Grant Architects

**Environmental Review:** Categorically exempt per Section 15332 (Infill Development Projects)

**Existing General Plan:** Central Business District – Commercial

**Existing Zoning:** CBD, Central Business District

**Existing Land Use:** Partially developed site with Walgreens and surface parking lot

**Public Hearing Notice:** Public hearing notification is applicable. A total of 271 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Mowry Avenue, Walnut Avenue, Dyer Lane, Capitol Avenue, Stivers Street, Paseo Padre Parkway, Civic Center and Liberty Street. The notices to owners and occupants were mailed on August 15, 2003. A Public Hearing Notice was delivered to The Argus on August 11, 2003 to be published by August 14, 2003.

**Background and Previous Actions:** On April 27, 2000, the Planning Commission approved a Finding for Site Plan and Architectural Approval for Washington Hospital to develop the 4.35 acre property located at the intersection of Mowry Avenue and Paseo Padre Parkway in the Central Business District. The project approval included a 15,200 square foot building designed with a drive through pharmacy for use by Walgreens, a 22,000 square foot building for use as a large box retail for general merchandising and another 3,000 square feet building for retail use. The fourth building received site plan approval for a 6,500 square foot building for restaurant use and was required to obtain Planning Commission approval for a separate Finding for Site Plan and Architecture. Subsequently, on April 26, 2001, a Finding for Site Plan and Architectural Approval for a 8,316 square foot building for use as a restaurant was approved along with associated outdoor seating area.

On April 11, 2002, the Planning Commission approved a modification of the originally approved Finding for Site Plan and Architectural Approval to Buildings 2 & 3 of the Washington West Retail Shops from a 25,000 square

foot 2-shop configuration to a 23,450 square foot multiple shops configuration. Vertical elements accentuating the additional entries were added due to the reconfiguration of the building.

On June 27, 2002, the Planning Commission approved a piece of artwork to address the intersection of Mowry Avenue and Paseo Padre Parkway. The artwork, 'Harmony of Shapes' was installed this year.

### Project Description:

The original approval in 2001 for the building at the corner of Paseo Padre Parkway and the joint driveway (Capitol Avenue driveway) permitted the construction of an 8,316 square foot building for use by Max's Café with associated outdoor seating area on the eastern portion of the site. During the past year, the owners of Max's Café decided not to execute it's lease with Washington Hospital due to market conditions. This, coupled with an interest from small business owners for small retail spaces, led Washington Hospital to alter the configuration of this building to allow for three spaces, each in the 1,800 to 3,200 SF range. Thus, the current proposal includes three tenant spaces designed in the following configurations:

Retail 1 – 3,200 SF

Retail 2 – 2,800 SF

Retail 3 – 1,800 SF



This proposal enables the creation of individual storefronts that provide an opportunity for a variety of commercial uses, unlike what was originally approved. The potential diversity of commercial uses along with attention to elements in design will help foster a pedestrian friendly atmosphere. Each storefront now varies from the other in size and in architectural detailing while providing an attractive sense of rhythm and scale similar to the approved multi-tenant building for Phase 2. Each tenant space will provide opportunities for outdoor seating for their patrons. The proposed location of the building responds to the street intersection and provides a good visual anchor to the corner of the site.

The applicant's initial application for this current proposal included one pedestrian access point from a small entry off of Paseo Padre Parkway through a metal trellis. Potential opportunities for pedestrian accessibility from Paseo Padre Parkway were also limited in the initial design through the use of fencing and heavy landscaping along the western side of the building. Staff asked the applicant to redesign this area by providing additional entry points to the site, removing the proposed fencing along Paseo Padre Parkway and along the joint access driveway (Capitol Avenue) while scaling back the amount of landscaping along the western portion of the building to allow for areas for congregation and access to the retail spaces. The applicant has responded to staff's concerns by removing the proposed fencing along Paseo Padre Parkway and Capitol Avenue driveway from the plans, enhancing the corner of Paseo Padre Parkway with the extension of textured hardscape to allow for various connections to the site while providing attractive landscaping to shield the trash enclosures from the corner and create an attractive gateway.

The applicant is proposing to locate the trash enclosures and service doors along the southern portion of the building off of Capitol rather than locating the enclosures near the parking lot along Paseo Padre Parkway as originally approved. The originally approved design had four entries to the building with three large storefront windows facing the Capitol Avenue driveway. The applicant is proposing to change the location of the trash enclosures because it is their opinion that it has the least impact on the retail fronts. Three existing cork oak trees will be preserved as part of the original proposal. Originally approved backflow preventers and other utility boxes are proposed to be screened with landscaping and a planter wall.



## Project Analysis:

- **General Plan Conformance:** The existing General Plan land use designation for the project site is Central Business District (CBD). The proposed project is consistent with the existing General Plan land use designation for the project site because retail uses are allowed in the CBD requiring a discretionary approval of a Finding for Site Plan and Architectural Approval by the Planning Commission for any new construction. The project is analyzed for conformance with existing policies and goals in the General Plan and CBD Concept Plan.

According to the General Plan, the CBD is intended to be a high intensity, pedestrian oriented office, medical, civic, entertainment and business nucleus. The proposed retail construction conforms to the requirements and intent of the General Plan land use designation for the project site. The following General Plan Goals, Objectives and Policies are applicable to the proposed project:

Fundamental Goal 5: A vibrant, well-defined, visually distinctive central business district as the focus of the City's governmental, cultural and commercial activity.

### ***CBD Design and Development Policies***

Policy LU 2.7: Site design and building development in the Central Business District shall be oriented toward pedestrians and transit. To maintain an active pedestrian environment, buildings oriented towards streets, sidewalks or public plazas shall strongly be encouraged. Retail uses shall be encouraged at ground level.

**Analysis:** The proposed shops are designed to front onto the interior walkway of the site, while trying to achieve a 'Main Street' feel. Pedestrian corridors in the form of wide sidewalks from Paseo Padre Parkway and within the shopping center have been designed to be highly pedestrian friendly while outdoor eating areas help create a 'sense of place' for patrons.

The proposed modifications to the building footprint allow for the creation of a collection of restaurants and shops rather than just one restaurant. The diversity of shop sizes has the potential for attracting a variety of shops that will consequently help create an active pedestrian environment throughout the built site.

Policy LU 2.7: Building orientation, setbacks, parking locations and building design shall be evaluated for how each element encourages continuity between developments.

**Analysis:** The previously approved restaurant building was sited to form a defined edge along Paseo Padre Parkway and more importantly, along the driveway that is aligned with Capitol Avenue. Capitol Avenue is slated to become the "Main Street" according to the CBD Concept Plan. The originally approved large storefront windows of the restaurant provided the transparency for pedestrian interest. This proposal limits the transparency as it introduces a service area fronting Capitol Avenue. The applicant has chosen to design the building in this manner to provide easier access for the individual retail shops to the trash enclosures. According to the applicant, during the design stage alternative locations were reviewed and were rejected within the parking field due to the impact on parking and concerns regarding aesthetics and odor in proximity to the proposed outdoor dining. No alternative locations were presented to staff. The enclosures are designed with features, materials, and colors to match the structure. The roof elements repeat the eyebrow canopy concept found elsewhere over main entry doors. It should be noted that there is an ability of redefining and reorganizing the tenant space in the future to accommodate main entries fronting the driveway of Capitol Avenue.



Policy LU 2.9: Public open spaces and plazas shall be strongly encouraged throughout the CBD. Such areas should be visible and accessible from public walkways and be appropriately landscaped with opportunities offered for sitting.

**Analysis:** The applicant is creating three outdoor seating areas for the tenant spaces along the frontage and the eastern portion of the building.

Policy LU 2.10: Encourage publicly visible art works in new private developments and in public spaces.

**Analysis:** A public art feature was incorporated in the previously approved site plan to address the intersection of Mowry Avenue and Paseo Padre Parkway. The Harmony of Shapes sculpture has been installed.

**Zoning Regulations:** The existing zoning designation for this site is Central Business District (CBD). As stated in the Zoning Ordinance, the purpose of the Central Business District is to provide for a concentration of retail, service and office uses reflecting the needs of the entire city and the sub-region. The proposed project is consistent with such designation because retail commercial uses are allowed in the Central Business District requiring a discretionary approval of a Finding for Site Plan and Architectural Approval by the Planning Commission for any new construction. The project complies with all requirements and codes applicable to a property under the zoning designation.

**Parking:** The parking total was conditionally approved as part of the Finding F-99-20 by Planning Commission on April 27, 2000. At that time, the total building square footage (including the restaurant) of the original Finding for Site Plan and Architectural Approval was 46,700 square feet with a floor area ratio ("f.a.r.") of 24.8 percent, which is within the allowed floor area ratio of 50 percent. 187 parking spaces were required based on the parking requirement for a shopping center of 1 parking space for every 250 square feet of retail space. 195 spaces were approved.

Subsequently, on April 26, 2001, the Finding for Site Plan and Architectural Approval (PLN 2001-00263) for Max's Café was approved, altering the total building square footage of the site to 48,516 square feet. The permitted restaurant size was 8,316 square feet. A total of 189 parking spaces were required based on the shopping center parking requirement for the entire site. A total of 208 parking spaces were approved.

The total building square footage has decreased from 48,516 square feet to 46,450 square feet. There are no changes proposed in the number of parking spaces based on this amended site plan. A total of 208 spaces will be provided. The parking requirements therefore, will be met.

**Open Space/Landscaping:** Various conditions to the previously approved plans will remain effective concerning the preservation of existing trees on the site, new landscape details, and outdoor furniture. Due to the change in building configuration, the creation of a seating area in three locations was made possible. Landscaping and hardscape improvements in these areas will be reviewed during the Development Organization process. Currently the applicant is proposing a variety of plants to shield the proposed transformer and irrigation controller. Fern Pines, Yellow Trailing Gazania, and Mexican Sage are proposed along with Society Garlic. Staff has conditioned that the Society Garlic be removed from the planting palette since the plants pungent odor and its proposed location near an outdoor seating area could be detrimental (Condition A-7).

The proposed curb design in the parking lot directly in front of retail space 3 would be deficient as it creates a space for illegal parking while limiting pedestrian access to the building. Staff is requesting that the curb be realigned to allow for more landscaping to shield the transformer in the parking lot and to create a safe pedestrian access from the parking lot to the building (Condition A-8). The applicant is also required to provide a bike parking with a rack system to accommodate at least 8 bikes. The locations of the bike racking systems will be evaluated during the Development Organization process (Condition A-19)

**Planned Sign Program:** Signage is not part of this review and will require a separate sign review as part of a planned sign program (Condition A-6).

## **Design Analysis:**

### **Architecture:**

The original design consisted of a one-story structure with a mezzanine floor primarily used for storage. The building form was simple and was composed of a façade that incorporated vertical modulation with columnar elements. The primary building material was stucco with aluminum storefront windows. A wainscoting of stone veneer was also approved. Metal awnings similar to those used for Walgreens and Phase 2 were also incorporated. Small metal trellises and one tower element were also approved to break up the building form.

This revised plan defines each storefront individually through vertical elements along with varying façade treatments and modulation. Due to the change in the building configuration, the applicant has the ability to create individual storefront designs with vertical elements identifying each storefront. A barrel roof and a tower are proposed as well as an elaborate metal trellis, which provides a variety of massing and textural elements. Each tenant space is setback from the other to provide modulation and visual relief as well as a sense of rhythm and scale for pedestrians and motorists.

### **Colors & Building Materials**

The majority of the proposed colors are identical to the colors found on Walgreens located on this site. Staff suggested that the roof material be of a darker tone and not match the building as it does currently for Walgreens. A Zinc Gray color is proposed for the metal roof color. Additional bold accent colors were also encouraged. The applicant has proposed a Wood Moss color on the arched façade and portions of the tower element. The applicant is also introducing a Burnt Orange color for the barrel vault columns (the colors provided in the renderings are redder in tone to what is actually proposed). The primary building material is stucco which is proposed to be painted in 'Washington Hospital' beige and tan colors. A creamy white color is proposed for trim and bands.

Offsetting the stucco are a variety of roof forms in galvanized mill finished metal. Fabricated steel awnings and a trellis are proposed to be incorporated along the building façade. A series of windows are proposed along the west elevation creating a traditional 'Main Street' design. Additional windows and metal canopies are proposed on the north and south elevations. Clerestory windows are proposed along the eastern elevation along with metal canopies. Staff has added a condition of approval requiring the applicant work with staff to provide additional details and vertical elements along Capital Avenue during the Development Organization process (Condition A-5).

**Urban Runoff Clean Water Program:** The applicant will be required to conform to the City's Urban Runoff Clean Water Program requirements. The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.

### **Applicable Fees:**

**Development Impact Fees:** This project will be subject to Citywide Development Impact Fees. These fees may include fees for fire protection, capital facilities and traffic impact. These fees shall be calculated at the fee rates in effect at the time of building permit issuance.

**Waste Management:** This project involves retail development and it shall be subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the

City's Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted to include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. The applicant is proposing to place the trash enclosures along the joint access driveway (Capitol Avenue driveway). The trash enclosures will be manually moved to the adjacent driveway for automated collection.

**Environmental Analysis:** The project qualifies as a categorical exemption under Section 15332 of the California Environmental Quality Act Guidelines. This exemption includes projects involving in-fill development projects.

**Response from Agencies and Organizations:** There were no comments made by the public during report writing.

**Enclosures:**

Exhibit "A"	(Site Plan, Elevations, Landscape Plans, colored renderings)
Exhibit "B"	(Conditions of Approval)
Informational	Design Statement

**Exhibits:**

Exhibit "A"	(Site Plan, Elevations, Landscape Plans, colored renderings)
Exhibit "C"	(Color and material sample board)

**Recommended Actions:**

1. Hold public hearing.
2. Find PLN 2003-00265, as per Exhibit "A" (Site Plan, Elevations) is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use Chapter as enumerated within the staff report. The project conforms to the goals and objectives of the Central Business District.
3. Approve PLN 2003-00265, as shown on Exhibit "A" (Site Plan, Elevations), subject to findings and conditions included in Exhibit "B".



**EXHIBIT "B"**  
**Washington Retail Shops – Paseo Padre Parkway (PLN2003-00265)**  
**Building 3 – Corner of Capitol Avenue & Paseo Padre Parkway**

**CBD FINDINGS**

The proposed project is in conformance with the requirements of Section 8-21206(c) of the Zoning Ordinance of the Fremont Municipal Code (FMC), which requires a Planning Commission review of the site plan and architecture for all proposed buildings in the CBD. The following findings are required to be made:

1. The proposed development properly relates to essential on-site facilities such as off-street parking loading and unloading areas, traffic circulation and access points. The proposed site layout and the design of the loading area conform with the requirements of the Fremont Municipal Code. The site layout, parking lot design and ingresses and egresses and loading dock areas have been designed to City standards. The number of on site parking spaces are also in conformance with required City standards.
2. The proposed development properly relates to public agency service requirements and opportunities, especially emergency public safety services in that police and fire department representatives have reviewed the plans for conformance with standards relating to public safety services.
3. The proposed development is visually, physically and functionally compatible with neighboring uses and neighborhood characteristics in that the proposed uses are compatible with the uses in the vicinity.
4. The proposed development includes open space or other site facilities that provide an attractive environment for the occupants of the property to be developed. The proposed site plan incorporates pedestrian corridors in the form of wide sidewalks and a plaza with landscape features as part of the design. Staff believes that the resulting environment will be attractive and useable by the occupants of the property.

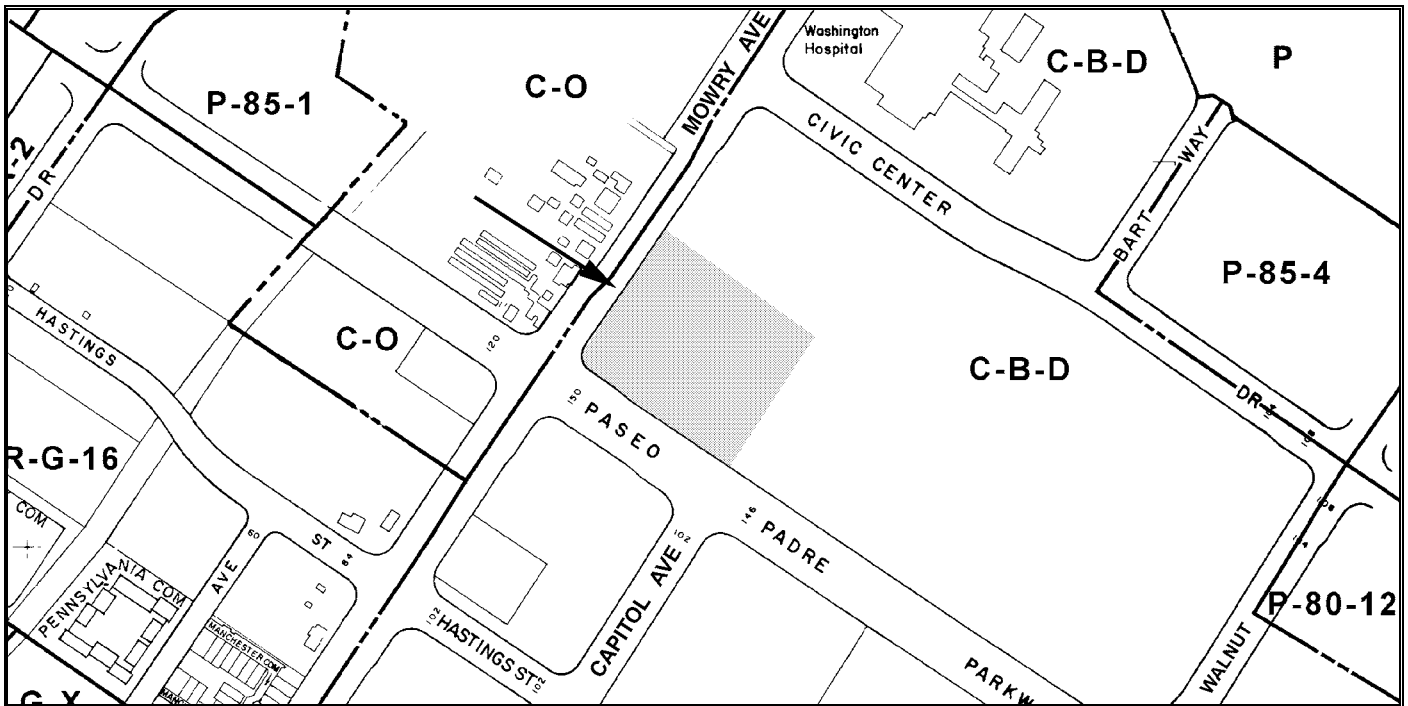
**CONDITIONS:**

- A-1 Plans shall be submitted to the Development Organization for review to insure conformance with relevant codes, policies and other requirements of the Fremont Municipal Code.
- A-2 Minor modifications to building designs and elevations may be made subject to review and approval of the Assistant City Manager, if such modifications do not deviate from the architectural character of the original approval.
- A-3 **The project shall conform with all applicable conditions of approval of F-99-20, PLN2001-00263, and PLN 2002-00195.**
- A-4 All roof mounted and other mechanical equipment shall be screened from view from adjacent public rights-of-way and other uses. No equipment shall project outside the face of the building, unless screened.
- A-5 The applicant will work with staff to provide additional details and vertical elements along Capitol Avenue during the Development Organization process. The applicant will continue to work with staff on the details for the trash enclosure gates. The proposed planter wall along the Capitol Driveway extension will be further evaluated during the Development Organization process.

- A-6 Any proposed signage is not part of this review and shall require a separate permit as a planned sign program.
- A-7 The proposed Society Garlic will be removed from the planting palette.
- A-8 The curb in front of the proposed building shall provide for additional landscaping and an additional walkway from the parking lot.
- A-9 This project will conform to ADA requirements.
- A-11 The proposed scored concrete will be reviewed during the Development Organization process.
- A-12 The proposed landscaping and hardscape improvements will be subject to staff review and approval during the Development Organization process.
- A-13 Applicant must complete and file a Project Waste Handling Plan with Environmental Services for Phase 3 prior to beginning any demolition or construction.
- A-14 Within 5 days of completing construction, applicant must complete and file a Post-Project Waste Handling Report for all demolition and construction debris.
- A-15 Applicant must comply with the City of Fremont Waste Handling & Recycling Requirements.
- A-16 Trash containers will have to be manually moved to the adjacent driveway for automated collection, and there may be push-pull fees imposed by the waste hauler to move the containers. Containers will be limited to no more than 4 cubic yards each, because larger containers are not manually moveable.
- A-17 The City shall contract for arboricultural services at the expense of the applicant. Results of the investigations will be incorporated into the project accordingly. The services will include:
- a. An independent appraisal of the mature cork oak trees on the site that provide significant presence to the project site.
  - b. A detailed arborist analysis and recommendation for handling of all trees in locations where new paving will impact root zone, including but not limited to adequacy of proposed location and impact of proposed features and infrastructure.
  - c. Show preliminary utility layout to highlight potential conflicts that trenching may have with trees proposed for preservation.
- A-18 Any significant damage to the trees will trigger mitigation based on arborist's evaluation of existing trees.
- A-19 Provide bike parking with a rack system to accommodate at least 8 bikes.



**Existing Zoning**  
Shaded Area represents the Project Site



**Existing General Plan**

